

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 912
93RD GENERAL ASSEMBLY

Reported from the Special Committee on Student Achievement and Finance April 25, 2006 with recommendation that House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 912 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

4591L.04C

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to the establishment of a virtual public school.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 161, RSMo, is amended by adding thereto one new section, to be known as section 161.670, to read as follows:

161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board of education shall establish a virtual public school to serve school-age students residing in the state. The virtual public school shall offer instruction in a virtual setting using technology, intranet, and/or Internet methods of communication. Any student under the age of twenty-one in grades kindergarten through twelve who resides in this state shall be eligible to enroll in the virtual public school regardless of the student's physical location.

2. For purposes of calculation and distribution of state school aid, pupils enrolled in a virtual public school shall be included, at the choice of the pupil's parent or guardian, in the pupil enrollment of the school district in which the pupil physically resides. The virtual public school shall report to the district of residence the following information about each pupil served by the virtual public school: name, address, eligibility for free or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 reduced-price lunch, limited English proficiency status, special education needs, and the
13 number of courses in which the pupil is enrolled. The virtual public school shall promptly
14 notify the resident district when a pupil discontinues enrollment. A "full-time equivalent
15 student" is a student who has successfully completed the instructional equivalent of six
16 credits per regular term. Each virtual course shall count as one class and shall generate
17 that portion of a full-time equivalent that a comparable course offered by the school
18 district would generate. In no case shall more than the full-time equivalency of a regular
19 term of attendance for a single student be used to claim state aid. Full-time equivalent
20 student credit completed shall be reported to the department of elementary and secondary
21 education in the manner prescribed by the department. Nothing in this section shall
22 prohibit students from enrolling in additional courses under a separate agreement that
23 includes terms for paying tuition or course fees.

24 3. When a school district has one or more resident pupils enrolled in a virtual
25 public school program authorized by this section whose parent or guardian has chosen to
26 include such pupil in the district's enrollment, the department of elementary and secondary
27 education shall disburse an amount corresponding to fifteen percent of the state aid under
28 sections 163.031 and 163.043, RSMo, attributable to such pupil to the resident district.
29 Subject to an annual appropriation by the general assembly, the department shall disburse
30 an amount corresponding to eighty-five percent of the state adequacy target attributable
31 to such pupil to the virtual public school.

32 4. Except as specified in this section and as may be specified by rule of the state
33 board of education, the virtual public school shall comply with all state laws and
34 regulations applicable to school districts, including but not limited to the Missouri school
35 improvement program (MSIP), adequate yearly progress (AYP), annual performance
36 report (APR), teacher certification, and curriculum standards.

37 5. The state board of education through the rule-making process and the
38 department of elementary and secondary education in its policies and procedures shall
39 ensure that multiple content providers are allowed.

40 6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
41 that is created under the authority delegated in this section shall become effective only if
42 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
43 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
44 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
45 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
46 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
47 adopted after August 28, 2006, shall be invalid and void.